

ACT No. 374

2016 Regular Session

HOUSE BILL NO. 1126

BY REPRESENTATIVE CHAD BROWN

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AN ACT

To amend and reenact R.S. 22:439(D) and R.S. 39:1528 and to enact R.S. 22:2301(F), relative to the office of risk management; to clarify that the office and certain providers are not subject to the provisions of the Louisiana Insurance Code; to prohibit application of certain insurance taxes and assessments on insurance policies of the state and its agencies; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:439(D) is hereby amended and reenacted and R.S. 22:2301(F) is hereby enacted to read as follows:

§439. Tax on surplus lines

* * *

~~D.(†)~~ The tax imposed pursuant to this Section shall not apply to the purchase of insurance by a or on behalf of any of the following:

(1) A college, university, school, institution, or program that is under the supervision or management of a system board of supervisors provided for in R.S. 17:3215 through 3217.1.

(2) ~~The tax imposed pursuant to this Section shall not apply to the purchase of insurance by political subdivisions~~ A political subdivision having a population of not less than three hundred fifty thousand persons according to the latest federal decennial census.

(3) An agency of this state as defined in R.S. 39:2.

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1 §2301. Assessable insureds

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3 F. The office of risk management shall not be an assessable insured.
4 Accordingly, any policy of property coverage purchased by the office of risk
5 management on behalf of the state or any agency thereof as defined in R.S. 39:2 shall
6 not be subject to any regular or emergency assessment.

7 Section 2. R.S. 39:1528 is hereby amended and reenacted to read as follows:

8 §1528. Creation of the office of risk management

9 A. There is hereby created the office of risk management within the division
10 of administration headed by the commissioner of administration.

11 B. The office of risk management, as the administrator of the risk
12 management program of the state, is a plan of the state and is subject to the
13 provisions of this Chapter and Title 39 of the Louisiana Revised Statutes of 1950. In
14 managing all insurance covering property and liability exposure of the state, the
15 office of risk management, the Self-Insurance Fund administered by the office, and
16 commercial coverage transactions by the office on behalf of the state shall not be
17 subject to the provisions of the Louisiana Insurance Code set forth in Title 22 of the
18 Louisiana Revised Statutes of 1950.

19 Section 3. This Act shall become effective on July 1, 2016.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____